



**IT IS ORDERED as set forth below:**

A handwritten signature in black ink that reads "Jeffery W. Cavender".

**Date: September 4, 2018**

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Jeffery W. Cavender  
U.S. Bankruptcy Court Judge

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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**IN RE:** )      **CHAPTER 13**  
**MISHONDRA TRIMILLE CRUMBLEY** )      **CASE NUMBER A15-58183-JWC**  
                )      )  
                )      )  
**DEBTOR**      )

**CONSENT ORDER ON TRUSTEE'S MOTION TO DISMISS FOR FAILURE TO  
PROVIDE TAX RETURNS OR REFUNDS**

On August 21, 2018 at 10:00 am, the Court held a hearing on the Trustee's Motion to Dismiss based upon the failure of the Debtor to remit tax return(s) or refund(s) to the Chapter 13 Trustee. It further appears to the Court that the Debtor, through counsel, agreed at the call of the Court's calendar to a consent agreement. For cause shown, **IT IS HEREBY**

**ORDERED**, that the Debtor shall remit their Federal Income tax return or proof of an Income Tax Extension to the Trustee by May 15th of each calendar year for the remaining years the case is pending. If an extension is provided then the Debtor must provide the actual return to the Trustee by the extension deadline to be in compliance with the terms of this Order.

Additionally, unless further Court order allows retention, the Debtor shall pay any tax refund for the years of the Debtor's Applicable Commitment Period or any other agreed upon years to the Trustee by May 15th of each calendar year. If the Debtor fails to provide either the tax refund or tax return to the Trustee by May 15th or the date of the granted extension then the case shall be dismissed without further hearing upon receipt of the Chapter 13 Trustee's Supplemental Status Report requesting an Order of Dismissal. The Debtor may also submit notice to the Trustee that they are not required to file Federal Income Tax Returns or notice to the Trustee if the anticipated refund has not been received by the Debtor by the May 15th due date. Prior to recommending dismissal the Trustee shall contact the Debtor's attorney via email to alert them of the default at least 10 business days prior to recommending dismissal by supplemental report.

Additionally, a letter will be sent to the Debtor each calendar year requesting a copy of the tax return and **IT IS FURTHER**

**ORDERED**, that due to the Debtor spending the Federal Income tax refund(s) for the 2017 tax year(s) without prior permission of the Court, the plan base is hereby increased by \$465.00.

The Clerk of the Court is directed to serve this Order on the parties included in the attached distribution list.

END OF DOCUMENT

CONSENTED TO BY:

/s/ \_\_\_\_\_

Julie M. Anania  
Attorney for the Chapter 13 Trustee  
State Bar No. 477064  
303 Peachtree Center Avenue, NE  
Suite 120  
Atlanta, GA 30303  
678-992-1201

/s/ \_\_\_\_\_

Shawn Eisenberg  
Attorney for Debtor  
State Bar No. 128077  
Slipakoff & Slomka, P.C.  
2859 Paces Ferry Rd, Se  
Overlook Lii, Suite 1700  
Atlanta, Ga 30339

*Signed by Julie M. Anania  
with express permission*

**DISTRIBUTION LIST**

**Case No.: A15-58183-JWC**

**Debtor:**

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7553 Absinth Drive  
Atlanta, Ga 30349

**Debtor Attorney:**

Slipakoff & Slomka, Pc  
2859 Paces Ferry Rd, Se  
Overlook Iii, Suite 1700  
Atlanta, Ga 30339

**Chapter 13 Trustee:**

Nancy J. Whaley  
303 Peachtree Center Ave., NE  
Suite 120  
Atlanta, GA 30303